

USDC SCAN INDEX SHEET



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3:99-M -02903 USA V. CASPER
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CRCMP.

FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

99 NOV 10 PM 4:00

UNITED STATES OF AMERICA
CLERK OF COURT
SOUTHERN DISTRICT OF CALIFORNIA

Plaintiff,

BY:

V.

DAVID J. CASPER

Defendant.

Magistrate Case No. _____

COMPLAINT FOR VIOLATION OF

U.S.C. Title 18

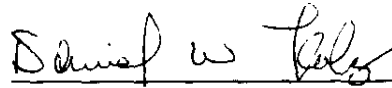
Section 1073

99 mg 2903

The undersigned complainant being duly sworn states:

That on or about November 8, 1999, at San Diego, California, within the Southern District of California, defendant DAVID J. CASPER did knowingly and willfully move and travel in interstate commerce with the intent to avoid confinement under the laws of the State of California for the felony crime of Burglary in the first degree, in violation of California Penal Code, Section 459(a), in violation of Title 18, United States Code, Section 1073.

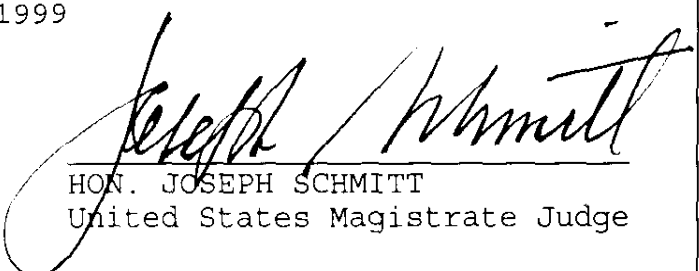
And the complainant further states that this complaint is based on the attached affidavit which is incorporated herein by reference.



DANIEL W. KOLOS

Special Agent, FBI

SWORN AND SUBSCRIBED TO before me
this 10TH day of November, 1999


HON. JOSEPH SCHMITT

United States Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

AFFIDAVIT

I, Daniel W. Kolos, being duly sworn, hereby depose
and state as follows:

1. I am a Special Agent (SA) of the Federal Bureau
of Investigation (FBI) assigned to the San Diego, California
office. I currently investigate Title 18 U.S.C. 1073
(Unlawful Flight to Avoid Confinement) violations.

2. This affidavit is made in support of a
Complaint charging David James Casper, date of birth April
28, 1973, with a violation of Title 18, United States Code,
Section 1073, Unlawful Flight to Avoid Confinement.

3. On November 9, 1999, Parole Agent (PA) Patrick
Minniss, California Department of Corrections, San Diego
Parolee at Large Recovery Unit, requested assistance in
locating and apprehending Casper. PA Minniss advised me of
the following:

a. On May 7, 1993, Casper was convicted in San
Diego County on the felony charge of Burglary in the first
degree, in violation of California Penal Code section 459,
place on probation, and given a suspended sentenced of 4
years in prison.

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1 (b) On August 20, 1993, Casper was convicted of
2 escape without the use of force for walking away from an
3 honor camp, and sentenced to one year in County Jail. Casper
4 was placed on five years probation upon his release. During
5 this period of probation, Casper tested positive for use of
6 heroin, and on February 28, 1997, was received back in State
7 Prison. Casper was paroled back into the community on
8 January 1, 1999.

9 (c) On September 15, 1999, Casper failed to report
10 to his parole agent as required. A check of Casper's current
11 and prior residence's were made with negative result. On
12 October 21, 1999, a warrant for Casper's arrest was issued by
13 the California Department of Corrections.
14

15 4. Prior to Casper's release from prison, he was
16 required to read and sign a Notice and Conditions of Parole
17 document. The document states that Casper is to report to
18 the Parole Office on the first working day after his release
19 and any Change of residence, employment or termination of
20 employment shall be reported to his parole agent within 72
21 hours. Casper was not to travel more than 50 miles from his
22 residence without prior written approval from his parole
23 agent. Casper was not to engage in criminal conduct
24 prohibited by State, Federal, County, or Municipal law.
25 Casper was not to own, use, have access to, or have under his
26 control any type of firearm, or any instrument or device
27 which a reasonable person would believe to be capable of
28

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1 being used as a weapon. The document also advises Casper
2 that should he violate the conditions of his parole, he would
3 be subject to arrest, suspension and revocation of his
4 parole.
5

6
7 5. On November 8, 1999, information was developed
8 by San Diego Police Department Detective Bob Sylvester that
9 Casper had car jacked a black 1997 Audi A4 car, California
10 license 1VAJ957, in San Diego, California. The car jack
11 victim's description of the assailant matched the physical
12 description of Casper. In the car jack victim's vehicle was
13 a cellular telephone belonging to the victim. Toll records
14 obtained by the Detective Sylvester indicated that subsequent
15 to the car jacking, telephone calls were being placed from
16 Las Vegas, Nevada, to known telephone numbers associated with
17 Casper in the San Diego area.

18
19 6. Detective Sylvester advised that on November 9,
20 1999, at approximately 10:00am, the "Bunkhouse" Sports bar in
21 Las Vegas, Nevada, was robbed at gunpoint by an individual
22 fitting the physical description of Casper. Witnesses
23 observed the robber departing the scene of the robbery in a
24 vehicle fitting the description of the vehicle car jacked in
25 San Diego, on November 8, 1999. Detective Sylvester advised
26 that prior to the car jacking and robbery in Las Vegas,
27 Nevada, Casper had been a suspect in a series of robberies in
28 San Diego, California, which include both street and

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1 commercial victims. Subject description has been consistent
2 with Casper and that of an unknown accomplice. Suspect
3 vehicle description has been consistent with vehicles known
4 to be associated with Casper, in particular, a newer black
5 Volvo, lowered, with a spoiler on the rear trunk. The San
6 Diego Police Department has been unable to locate and arrest
7 Casper.

8
9 7. It is the belief of the affiant that David
10 James Casper has willfully and unlawfully fled the State of
11 California to avoid confinement, in violation of the Fugitive
12 Felon Act, Title 18, United States Code, Section 1073. Based
13 on information supplied by the San Diego Police Department,
14 the California Department of Corrections, and the Las Vegas
15 Metropolitan Police Department, it is further believed that
16 Casper has committed an armed robbery in the State of Nevada,
17 and will continue to travel in furtherance of violent
18 criminal acts.

19
20 8. PA Minniss advised that the California
21 Department of Corrections will extradite Casper back to
22 California should he be apprehended outside the State of
23 California.
24
25
26
27
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9. David James Casper is described as follows:

Name: David James Casper

DOB: April 28, 1973

Race: White

Sex: Male

Height: 5'9"

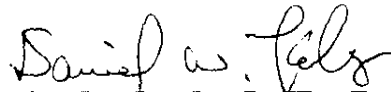
Weight: 170 pounds

Hair: Blond

Eyes: Blue

SSAN: 529-81-8994

FBI#: 21091VA8



DANIEL W. KOLOS

Special Agent

Federal Bureau of Investigation

Subscribed and sworn to before me
this 10th day of November, 1999.



HON. JOSEPH SCHMITT

United States Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

DAVID JAMES CASPER

WARRANT ISSUED ON THE BASIS OF:

☐ Failure to Appear ☐ Order of Court
☐ Indictment ☐ Information
☒ Complaint

Magistrate's Case No. **99 mg 2903**

WARRANT FOR ARREST

TO:

Any U.S. Marshal or other
authorized officer

NAME AND ADDRESS OF PERSON TO BE ARRESTED:

DAVID JAMES CASPER
Date of Birth 4/28/1973

DISTRICT OF ARREST:

CITY OF ARREST:

YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the United States District Court to answer to the charge(s) listed below.

DESCRIPTION OF CHARGES

UNLAWFUL FLIGHT TO AVOID CONFINEMENT

IN VIOLATION OF	UNITED STATES CODE TITLE 18	SECTION 1073
BAIL - NO BAIL SET	OTHER CONDITIONS OF RELEASE	
ORDERED BY	<i>SEAN Schmitt</i>	DATE ORDERED 11-10-99
CLERK OF COURT / U.S. MAGISTRATE	BY	DATE ISSUED
Hon. Joseph Schmitt		

RETURN

THIS WARRANT WAS RECEIVED AND EXECUTED WITH THE ARREST OF THE ABOVE-NAMED PERSON.

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE
DATE EXECUTED		

Note: The arresting officer is directed to serve the attached copy of the charge on the defendant at the time this warrant is executed.